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EXAMINER
BACHNER, REBECCA M

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 11/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/514,997	Applicant(s) SCHULTZE, AXEL	
	Examiner Rebecca M Bachner	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 September 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 7-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 7-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Detail d Action

1. This is a Final Office Action in response to the amendment submitted on September 17, 2002. Claims 1 and 7-44 are pending. Claims 2-6 have been cancelled and claims 9-44 have been added.

Response to Amendment

2. In response to the applicant's amendments, the 35 USC §103 rejections have been replaced by 35 USC §102 and 35 USC §103 rejections in view of Melchione et al. (U.S. P.N. 5,930,764).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 7-10, 15-18, 22, 25-33, 37-41, and 43 are rejected under 35 U.S.C. 102(e) as being anticipated by Melchione et al. (U.S. P.N. 5,930,764).

As per claim 1, Melchione et al. disclose a computer-based method for distributing leads from a lead database, the method comprising the steps of:

Receiving a lead request from a sales agent (see column 8, lines 51-58, a lead request is received);

Providing a lead from the lead database to the sales agent in response to the lead request (see column 8, lines 69-67, through column 9, lines 1-12, lead requests are provided); and

Receiving a lead selection from the sales agent (see column 9, lines 6-12, the lead selection is received).

As per claim 7, Melchione et al. discloses the method of claim 1, wherein the lead request includes a lead selection parameter (column 9, lines 2-12, the lead request includes a lead selection parameter as the lead selection parameter is any query that is used to sort the records in the central database).

As per claim 8, Melchione et al. discloses the method of claim 1, wherein the lead includes at least one contact information and product information (see column 9, lines 13-45, and column 34, lines 20-34, the lead included contact and product information).

As per claim 9, Melchione et al. discloses the method of claim 1 wherein the sales agent comprises one of a reseller, salesperson, and service provider (see column 9, lines 30-45, Citibank is a service provider).

As per claim 10, Melchione et al. discloses the method of claim 1 wherein the lead request comprises at least one of a service request and a product request (see column 9, lines 30-67, through column 10, lines 1-33, lead request comprises a service request and a product request through the bank's offerings).

As per claim 15, Melchione et al. discloses the method of claim 1 wherein the step of providing further comprises:

Determining whether the lead request is authorized for the sales agent (see column 9, lines 46-52, the branch managers assign the leads to the bankers and therefore they are authorized).

As per claim 16, Melchione et al. discloses the method of claim 1 further comprises:

Receiving, from the sales agent, a lead selection parameter (see column 8, lines 51-67, through column 9, lines 1-5, a lead selection parameter is received from the sales agent);

Searching the lead for the lead selection parameter to generate a search result (see column 8, lines 51-67, through column 9, lines 1-6, a search result is generated); and

Providing the search result to the sales agent (see column 9, lines 1-6, the search result, optimum list, is provided to the agent).

As per claim 17, Melchione et al. discloses the method of claim 16 wherein the lead selection parameter comprises one of geographical location and product (see column 9, lines 2-12 and column 22, lines 10-67, the geographic location is stored with the customer information and could be used in the search query).

As per claim 18, Melchione et al. discloses the method of claim 1 further comprising:

Removing the lead from the database to prevent the lead from being provided to a second sales agent (see column 40, lines 35-44, the lead from the database is given to an agent and is therefore prevented from being given to a second agent).

As per claim 22, Melchione et al. discloses the method of claim 1 further comprising:

Receiving, from the sales agent, a message comprising a result for the lead (see abstract and column 6, lines 8-10, the result of the lead is in the performance tracking system); and

Storing the result in the lead database (see column 6, lines 8-10, the result is stored in the database as it is in the performance tracking system).

As per claim 25, Melchione et al. discloses a method of requesting a lead by a sales agent, the method comprising the steps of:

Sending a lead request to a lead database (see column 8, lines 51-58, a lead request is agent to the database);

Receiving a lead from the lead database (see column 8, lines 69-67, through column 9, lines 1-12, lead requests are received from the database); and

Sending a lead selection to the lead database the lead selection indicating that the sales agent has selected the lead (see column 9, lines 6-12, the lead selection is sent to the agent).

As per claim 26, Melchione et al. discloses the method of claim 25, wherein the lead request comprises a service request (see column 9, lines 30-67, through column 10, lines 1-33, lead request comprises a service request through the bank's offerings).

As per claim 27, Melchione et al. discloses the method of claim 25, further comprising:

Sending a lead selection parameter to the lead database for querying a subset of leads (see column 9, lines 2-12, the lead request includes a lead selection parameter that queries a subset of leads).

As per claim 28, Melchione et al. discloses the method of claim 25, further comprising:

Processing the selected lead to determine a result for the selected lead (see column 6, lines 8-10, a result is determined for a selected lead).

As per claim 29, Melchione et al. discloses the method of claim 25, wherein the result comprises one of sale, not interest, evaluation, and project (see column 6, lines 8-10, the result is comprises one of sale, not interest, evaluation, and project).

As per claim 30, Melchione et al. discloses the method of claim 25, wherein the step of processing the selected lead further comprises:

Identifying the result for the selected lead (see abstract and column 6, lines 8-10, the result of the lead is in the performance tracking system); and

Sending the result to the lead database for storage of the result (see column 6, lines 8-10, the result is sent and stored in the database as it is in the performance tracking system).

As per claim 31, Melchione et al. discloses a system for distributing leads from a lead database, the system comprising:

A lead unit configured to receive a lead request from a sales agent (see column 8, lines 51-58, a lead unit configured to receive a lead request from an agent);

A lead control unit communicatively coupled to the lead unit and configured to provide a lead from the lead database to the sales agent in response to the lead request (see column 8, lines 69-67, through column 9, lines 1-12, lead requests are provided); and

An administrative unit communicatively coupled to the lead control unit and configured to receive a lead selection from the sales agent (see column 9, lines 6-12, the lead selection is received).

As per claim 32, Melchione et al. discloses the system of claim 31, wherein the administrative unit is further configured to receive, from the sales agent, a lead selection parameter, wherein the lead control unit is further configured to search the lead for the lead selection parameter to generate a search result and to provide the search result to the sales agent (see column 8, lines 51-67, through column 9, lines 1-12, a lead section parameter is chosen, a search result is generated, and the result is provided to an agent).

As per claim 33, Melchione et al. discloses the system of claim 31, further comprising:

A reseller control unit communicatively coupled to the lead unit and configured to determine whether the lead request is authorized for the sales agent (see column 9, lines 46-52, the branch managers assign the leads to the bankers and therefore they are authorized).

As per claim 37, Melchione et al. discloses the system of claim 31, further comprising:

A lead status unit configured to receive, from a sales agent, a message comprising a result for the lead and to store the result in the lead database(see abstract and column 6, lines 8-10, the result of the lead is stored in the database as it is in the performance tracking system);

As per claim 38, Melchione et al. discloses the system of claim 37, wherein the result comprises one of sale, no interest, evaluation, and project (see column 6, lines 8-10, the result is comprises one of sale, not interest, evaluation, and project).

As per claim 39, Melchione et al. discloses a computer readable medium comprising:

Program instructions for receiving a lead request from a sales agent (see column 8, lines 51-58, a lead request is received);

Program instructions for providing a lead from the lead database to the sales agent in response to the lead request (see column 8, lines 69-67, through column 9, lines 1-12, lead requests are provided); and

Program instructions for receiving a lead selection from the sales agent (see column 9, lines 6-12, the lead selection is received).

As per claim 40, Melchione et al. discloses the computer readable medium of claim 39, further comprising:

Program instructions for removing the lead from the lead database to prevent the lead from being provided to a second sales agent (see column 40, lines 35-44, the lead from the database is given to one agent and therefore is prevented from being given to a different agent).

As per claim 41, Melchione et al. discloses the computer readable medium of claim 39, further comprising:

Program instructions for moving the lead from an active set of the lead database to a selected set of the lead database for a predetermined time period, wherein leads in the selected set cannot be provided to a second sales agent (see column 40, lines 35-44, the lead from the database is given to an agent and the database status says "in progress").

As per claim 43, Melchione et al. discloses the computer readable medium of claim 39, further comprising:

Program instructions for receiving from the sales agent, a message comprising a result for the lead (see abstract and column 6, lines 8-10, the result of the lead is in the performance tracking system); and

Program instructions for storing the result in the lead database (see column 6, lines 8-10, the result is stored in the database as it is in the performance tracking system).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 11-14, 19-21, 23-34, 34-36, 42, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melchione et al. (U.S. P.N. 5,930,764).

As per claim 11, Melchione et al. discloses the method of claim 1 and sending leads to sales agents (see column 6, lines 56-60, and column 9, lines 9-12) and sending confirmation messages when an appointment is made (see column 52, lines 61-63). Melchione et al. does not explicitly disclose sending a first confirmation message to the sales agent, and sending a second confirmation message to the lead. However, it would have been obvious for one of ordinary skill in the art to have sent confirmation messages to the agent and the lead as it is common practice to send a notice of receipt. Furthermore, as Melchione et al already sends and received information from the lead

and agent, and also creates confirmation messages, Melchione would have been motivated to sent confirmation messages to the lead and sales agent as it reassures and proves to a user that the message was sent and received.

As per claim 12, Melchione et al. discloses the method of claim 11 wherein the system is on-line (see column 6, lines 56-60, the system is on-line). Melchione et al. does not explicitly disclose wherein the first and second confirmation messages are sent via a wide area network. However, it would have been obvious for one of ordinary skill in the art to have sent confirmation messages to the agent and the lead as it is common practice to send a notice of receipt over a wide area network. Furthermore, as Melchione et al already sends and received information from the lead and agent, and also creates confirmation messages, Melchione would have been motivated to sent confirmation messages to the lead and sales agent over the web as it reassures and proves to a user that the message was sent and received.

As per claim 13, Melchione et al. discloses the method of claim 12 wherein the system is on-line (see column 6, lines 56-60, the system is on-line). Melchione et al. does not explicitly disclose wherein said wide area network is an Internet. However, it would have been obvious for one of ordinary skill in the art to have sent confirmation messages to the agent and the lead as it is common practice to send a notice of receipt over the Internet. Furthermore, as Melchione et al already sends and received information from the lead and agent, and also creates confirmation messages,

Melchione would have been motivated to sent confirmation messages to the lead and sales agent over the Internet as it reassures and proves to a user that the message was sent and received.

As per claim 14, Melchione et al. discloses the method of claim 1 and sending leads to sales agents (see column 6, lines 56-60, and column 9, lines 9-12) and sending confirmation messages when an appointment is made (see column 52, lines 61-63). Melchione et al. does not explicitly disclose sending a confirmation message to an administrator. However, it would have been obvious for one of ordinary skill in the art to have sent confirmation messages to the agent and the lead as it is common practice to send a notice of receipt to an administrator. Furthermore, as Melchione et al already sends and received information from the lead and agent, and also creates confirmation messages, Melchione would have been motivated to sent confirmation messages to the administrator as it reassures and proves to a user that the message was properly sent and received.

As per claim 19, Melchione et al. discloses the method of claim 1 further comprising: moving the lead from an active set of the lead database to a selected set of the lead database wherein leads in the selected set cannot be provided to a second sales agent (see column 9, lines 46-52, and column 40, lines 35-44, the lead from the database is given to an agent and the manager can reassign the lead to a different agent). Melchione et al. does not explicitly disclose moving the lead in a predetermined

time period. However, it is old and well known for a manager to reassign tasks within a group after a certain period of time. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to have moved the lead from one agent to another after a predetermined time as the manager does not want the lead to get cold.

As per claim 20, Melchione et al. discloses the method of claim 19 further comprising: replacing the lead into the active set of the lead database to make available for a second lead request (see column 9, lines 46-52, and column 40, lines 35-44, the lead from the database is given to an agent and the manager can reassign the lead to a different agent). Melchione et al. does not explicitly disclose replacing the lead after the predetermined time period has expired. However, it is old and well known for a manager to reassign tasks within a group after a certain period of time. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to have moved the lead from one agent to another after a predetermined time as the manager does not want the lead to get cold.

As per claim 21, Melchione et al. discloses the method of claim 20 wherein the second lead request is issued by a second sales agent (see column 40, lines 35-44, the lead request can be issued to another agent).

As per claim 23, Melchione et al. discloses the method of claim 22 and identifying the result of the lead (see column 6, lines 8-10). Melchione et al. does not explicitly disclose parsing the message to identify the result. However, parsing the message is old and well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to have parsed the message to identify the result as it allows the system to have a precise description of the result of the lead.

As per claim 24, Melchione et al. discloses the method of claim 22 and sending leads to sales agents (see column 6, lines 56-60, and column 9, lines 9-12) and sending confirmation messages when an appointment is made (see column 52, lines 61-63). Melchione et al. does not explicitly disclose sending at least one of a result confirmation to the sales agent and a result notification to the lead. However, it would have been obvious for one of ordinary skill in the art to have sent confirmation messages to the agent and the lead as it is common practice to send a notice of receipt using an administrative unit. Furthermore, as Melchione et al already sends and received information from the lead and agent, and also creates confirmation messages, Melchione would have been motivated to sent confirmation messages to the agent and lead as it reassures and proves to a user that the message was properly sent and received.

As per claim 34, Melchione et al. discloses the system of claim 31 and sending leads to sales agents (see column 6, lines 56-60, and column 9, lines 9-12) and sending

confirmation messages when an appointment is made (see column 52, lines 61-63). Melchione et al. does not explicitly disclose an administrative control unit communicatively coupled to the administrative unit and configured to send a first confirmation message to the sales agent and send a second confirmation message to the lead. However, it would have been obvious for one of ordinary skill in the art to have sent confirmation messages to the agent and the lead as it is common practice to send a notice of receipt using an administrative unit. Furthermore, as Melchione et al already sends and received information from the lead and agent, and also creates confirmation messages, Melchione would have been motivated to sent confirmation messages to the agent and lead as it reassures and proves to a user that the message was properly sent and received.

As per claim 35, Melchione et al. discloses the system of claim 31, further comprising: moving the lead from an active set of the lead database to a selected set of the lead database (see column 40, lines 35-44, the lead from the database is given to an agent and the database status says "in progress"). Melchione et al. does not explicitly disclose a timing unit and moving the lead at a predetermined time. However, it is old and well known for a manager to have a timing unit and moving the lead at a predetermined time to reassign tasks within a group. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to have a timing unit and have the manager move the lead from one agent to another after a predetermined time as the manager does not want the lead to get cold.

As per claim 36, Melchione et al. discloses the system of claim 35, wherein the timing unit is further configured to replace the lead into the active set of the lead database to make the lead available for a second lead request (see column 9, lines 46-52, and column 40, lines 35-44, the lead from the database is given to an agent and the manager can reassign the lead to a different agent). Melchione et al. does not explicitly disclose replacing the lead after the predetermined time period has expired. However, it is old and well known for a manager to reassign tasks within a group after a certain period of time. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to have moved the lead from one agent to another after a predetermined time as the manager does not want the lead to get cold.

As per claim 42, Melchione et al. discloses the computer readable medium of claim 41, further comprising: program instructions for replacing the lead into the active set of the lead database to make the lead available for a second lead request (see column 9, lines 46-52, and column 40, lines 35-44, the lead from the database is given to an agent and the manager can reassign the lead to a different agent). Melchione et al. does not explicitly disclose replacing the lead after the predetermined time period has expired. However, it is old and well known for a manager to reassign tasks within a group after a certain period of time. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to have moved the lead from one

agent to another after a predetermined time as the manager does not want the lead to get cold.

As per claim 44, Melchione et al. discloses the computer readable medium of claim 43 and sending leads to sales agents (see column 6, lines 56-60, and column 9, lines 9-12) and sending confirmation messages when an appointment is made (see column 52, lines 61-63). Melchione et al. does not explicitly disclose program instructions for sending at least one of a result confirmation to the sales agent and a result notification to the lead. However, it would have been obvious for one of ordinary skill in the art to have sent confirmation messages to the agent and the lead as it is common practice to send a notice of receipt using an administrative unit. Furthermore, as Melchione et al already sends and received information from the lead and agent, and also creates confirmation messages, Melchione would have been motivated to sent confirmation messages to the agent and lead as it reassures and proves to a user that the message was properly sent and received.

Response to Arguments

7. Applicant's arguments with respect to claims 1 and 7-44 have been considered but are moot in view of the new ground(s) of rejection.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Anderson et al. (U.S. P.N. 6,078,892) discusses a system of optimizing customer leads.

Johnson et al. (U.S. P.N. 6,067,525) discusses a support system for sales and pre-sales lead generation.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rebecca Bachner** whose telephone number is 703-305-1872. The examiner can normally be reached on Monday - Friday from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Tariq Hafiz** can be reached on **(703)305-9643**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 308-1113**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

(703) 305-7687 Official communications; including After Final communications labeled "Box AF"

(703) 746-7306 Informal/Draft communications, labeled "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

RMB
RMB
November 20, 2002

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SUPERVISORY PATENT EXAMINER
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